# INST: 0135 UNIVERSITY OF ARKANSAS - FAYETTEVILLE ACT#: 141 SECTION#: 3

**CURRENT SPECIAL LANGUAGE (WITH INST. REQUEST) AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION**

TRANSFER RESTRICTIONS . The appropriations provided in this act shall not be transferred under the provisions of Arkansas Code 19- 4- 522, but only as provided by this act.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

# INST: 0135 UNIVERSITY OF ARKANSAS - FAYETTEVILLE ACT#: 141 SECTION#: 4

**CURRENT SPECIAL LANGUAGE (WITH INST. REQUEST) AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION**

TRANSFER PROVISIONS . The state- supported institution of higher education in this act may transfer appropriations between the various line items within each appropriation contained in this appropriation act. Such transfers shall be made only after the approval of the Division of Higher Education and the Chief Fiscal Officer of the State, and the approval of the Legislative Council or Joint Budget Committee.

The General Assembly has determined that the institution in this act could be operated more efficiently if some flexibility is given to that institution and that flexibility is being accomplished by providing authority to transfer between items of appropriation made by this act. Since the General Assembly has granted the institution broad powers under the transfer of appropriations, it is both necessary and appropriate that the General Assembly maintain oversight of the utilization of the transfers by requiring prior approval of the Legislative Council or Joint Budget Committee in the utilization of the transfer authority. Therefore, the requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

# INST: 0135 UNIVERSITY OF ARKANSAS - FAYETTEVILLE ACT#: 141 SECTION#: 5

**CURRENT SPECIAL LANGUAGE (WITH INST. REQUEST) AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION**

POSITIONS . (a) Nothing in this act shall be construed as a commitment of the State of Arkansas or any of its agencies or institutions to continue funding any position paid from the proceeds of the Tobacco Settlement in the event that Tobacco Settlement funds are not sufficient to finance the position.

1. State funds will not be used to replace Tobacco Settlement funds when such funds expire, unless appropriated by the General Assembly and authorized by the Governor.
2. A disclosure of the language contained in (a) and (b) of this Section shall be made available to all new hire and current positions paid from the proceeds of the Tobacco Settlement by the Tobacco Settlement Commission.
3. Whenever applicable the information contained in (a) and (b) of this Section shall be included in the employee handbook and/or Professional Services Contract paid from the proceeds of the Tobacco Settlement.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

# INST: 0135 UNIVERSITY OF ARKANSAS - FAYETTEVILLE ACT#: 141 SECTION#: 6

**CURRENT SPECIAL LANGUAGE (WITH INST. REQUEST) AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION**

COMPLIANCE WITH OTHER LAWS . Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Regular S alary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

# INST: 0135 UNIVERSITY OF ARKANSAS - FAYETTEVILLE ACT#: 141 SECTION#: 7

**CURRENT SPECIAL LANGUAGE (WITH INST. REQUEST) AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION**

LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

# INST: 0135 UNIVERSITY OF ARKANSAS - FAYETTEVILLE ACT#: 182 SECTION#: 13

**CURRENT SPECIAL LANGUAGE (WITH INST. REQUEST) AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION**

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6- 64- 1012 is

amended to codify special language in appropriation acts to read as follows:

6- 64- 1012. Additional compensation for athletic department.

* 1. In recognition of the extra work involved in the participation of intercollegiate athletic teams in post- season competition, and to promote exceptional achievement in the total sports program, the Chancellor of the University of Arkansas at Fayetteville, in accordance with policies issued by the Board of Trustees of the University of Arkansas, may approve additional compensation of up to one (1) month' s salary for the athletic department and band personnel when any athletic team participates in post- season competition or achieves exceptional recognition, which shall be in addition to the regular salaries authorized by law, provided that the additional compensation shall be paid from contributions from sources other than public funds.

(b)(1) For the purpose of providing necessary allowances for housing and other unusual expenses incurred by or on behalf of the athletic director, associate and assistant athletic directors, head coaches, assistant coaches, offensive coordinators, defensive coordinators, and head trainers in the University of Arkansas at Fayetteville' s athletic department, the board may make a special allowance available in an amount the board determines is justified, which shall be an equitable allowance in light of the unusual and exacting duties of the athletic director, associate and assistant athletic directors, head coaches, assistant coaches, offensive coordinators, defensive coordinators, and head trainers in the university athletic

# INST: 0135 UNIVERSITY OF ARKANSAS - FAYETTEVILLE ACT#: 182 SECTION#: 13

**CURRENT SPECIAL LANGUAGE (WITH INST. REQUEST) AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION**

department.

* + 1. The board may expend from the auxiliary income of the

university, which is derived from athletic event receipts, or from contributions from sources other than state funds for purposes of allowances made under subdivision (b)(1) of this section.

* + 1. However, allowances made under subdivision (b)(1) of this section for the athletic director, associate and assistant athletic directors, head coaches, assistant coaches, offensive coordinators, defensive coordinators, and head trainers in the university athletic department shall:
			1. Be in addition to the regular salary of an athletic director, associate and assistant athletic directors, head coaches, assistant coaches, offensive coordinators, defensive coordinators, and head trainers; (B) Not exceed ten thousand dollars ($10,000) per

person per annum for each of the following individuals:

* + - * 1. An athletic director;
				2. An associate athletic director; and (iii) A head coach; and
1. Not exceed one thousand dollars ($1,000) per person per annum for each of the following individuals:
	1. An assistant athletic director; (ii) An assistant coach;

(iii) An offensive coordinator; (iv) A defensive coordinator; and (v) A head trainer.

# INST: 0135 UNIVERSITY OF ARKANSAS - FAYETTEVILLE ACT#: 182 SECTION#: 13

**CURRENT SPECIAL LANGUAGE (WITH INST. REQUEST) AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION**

* + 1. If the board makes an allowance under subdivision (b) (1) of this section, then the board shall report annually to the Legislative Joint Auditing Committee the exact disposition of those allowance funds.

(c)(1) The board may make an additional payment to head coaches and assistant coaches at the university from revenues generated by contracts with vendors of athletic apparel, shoes, multimedia rights, and other products in such amounts as may be established by the board for performance by the head coaches and assistant coaches at the university for consulting and performing other obligations pursuant to contracts between the university and the vendors.

1. Additional payments made by the board under subdivision (c)(1) of this section shall not be:
	1. Considered salary; or
	2. Deemed or construed to exceed the maximum salaries established for head coaches or assistant coaches at the university.
2. This subsection does not reduce or eliminate the board' s authority granted elsewhere in statute, including this section, for the payment of allowances or bonuses to coaches at the university.

Recommendation: \* NOTE for FIS CAL: Includes Special Language Code 0135- 0136- 013 in subsection (c)\* (Codification combines section 13 ("Special Allowances") and section 14 ("Additional Payments Authorized) as an addition to Arkansas Code Title 6, Chapter 64, subchapter 1012.

# INST: 0135 UNIVERSITY OF ARKANSAS - FAYETTEVILLE ACT#: 182 SECTION#: 14

**CURRENT SPECIAL LANGUAGE (WITH INST. REQUEST) AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION**

ADDITIONAL PAYMENTS AUTHORIZED. The Board of Trustees of the University of Arkansas is hereby authorized to make additional payments to head and assistant coaches at the University of Arkansas, Fayetteville, from revenues generated by contracts with vendors of athletic apparel, shoes, multimedia rights, and other products in such amounts as may be established by the Board of Trustees for performance by the coaches of consulting and other obligations pursuant to contracts between the University and such vendors. Such additional payments to head and assistant coaches shall not be considered salary and shall not be deemed or construed to exceed the maximum salaries established for such coaches by the General Assembly. Nothing in this section shall be construed to reduce or eliminate the authority granted elsewhere in Arkansas statutes for the payment of allowances or bonuses to coaches at the University of Arkansas, Fayetteville.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

Recommendation: \* DELETE\* - S EE S PECIAL LANGUAGE CODE 0135- 0136-

013 (subsection (c)) Codification combines section 13 ("Special Allowances") and section 14 ("Additional Payments Authorized) as an addition to Arkansas Code Title 6, Chapter 64, subchapter 1012.

# INST: 0135 UNIVERSITY OF ARKANSAS - FAYETTEVILLE ACT#: 182 SECTION#: 15

**CURRENT SPECIAL LANGUAGE (WITH INST. REQUEST) AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION**

APPRENTICE PROGRAM WAGES . All apprentices in the University of Arkansas U.S . Department of Labor Approved Apprentice Program shall be appointed into the State of Arkansas Classified Pay Plan title of (C 105) Apprentice Tradesman at the then Labor Market Entry Rate.

Using successive Arkansas Department of Labor Prevailing Wage Determination (ADLPWD) Building Rates for Washington County for the craft title matching that Apprentice' s craft training, individual Apprentices shall be paid progressively increasing wages upon successful completion of successive years of training for their craft. Progressively increasing, as strongly encouraged for this type program by the U.S . Department of Labor is defined as a percentage difference between the Apprentice' s current salary and the next year' s ADLPWD Washington County Building Rates Basic Hourly Rate for their chosen craft, but not less than the preceding year' s wages with any authorized cost of living (COLA) applied.

Upon successful completion of the Apprentice Program, fulfillment of all related licensing requirements, and availability of an open S killed Trades Worker position (if not already in a C 115 S killed Tradesman position), all Apprentice Program graduates shall be promoted to a C 115 S killed Tradesman position and earn the ADLPWD Washington County Building Rates Basic Hourly Rate for the classification of their chosen craft except that: "No Apprentice Program graduate shall earn wages less than C115 S killed Tradesman Entry Level."

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

# INST: 0135 UNIVERSITY OF ARKANSAS - FAYETTEVILLE ACT#: 183 SECTION#: 12

**CURRENT SPECIAL LANGUAGE (WITH INST. REQUEST) AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION**

CRIMINAL JUSTICE INSTITUTE TRANSFER PROVIS ION. Immediately upon

the effective date of this Act the Chief Fiscal Officer of the State, Treasurer of State and Auditor of the State shall transfer on their books the sum of one hundred fifty thousand dollars ($150,000) from the Special State Assets Forfeiture Fund to the University of Arkansas Fund for allocation to the Criminal Justice Institute for education and training to assist the criminal justice community in addressing the illicit drug activities in the S tate.

The provision of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

# INST: 0135 UNIVERSITY OF ARKANSAS - FAYETTEVILLE ACT#: 183 SECTION#: 13

**CURRENT SPECIAL LANGUAGE (WITH INST. REQUEST) AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION**

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6- 42- 305,

concerning the administrator and staff for the Arkansas School for Mathematics, Sciences, and the Arts, is amended to add an additional subsection to codify special language in appropriation acts to read as follows:

(e)(1) A teacher residential mentor employed by the school who, in addition to working during the regular school term, also works during the summer months within the summer program, shall be authorized as additional compensation an amount not to exceed one- tenth (1/10) of his or her annual salary for each month or part of the month in which he or she works.

(2) Additional compensation received under subdivision (e) (1) of this section shall not be construed as exceeding the maximum salary authorized for the individual who receives the additional compensation.

# INST: 0135 UNIVERSITY OF ARKANSAS - FAYETTEVILLE ACT#: 183 SECTION#: 14

**CURRENT SPECIAL LANGUAGE (WITH INST. REQUEST) AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION**

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 6- 64- 202 is

amended to codify special language in appropriation acts to read as follows:

6- 64- 202. Board of Trustees of the University of Arkansas incorporated - Powers and authority.

1. The Board of Trustees of the University of Arkansas is made a body politic and corporate and shall have all the powers of a corporate body, subject to the Arkansas Constitution and laws of the State of Arkansas, and the board possesses all the power and authority possessed by the board of trustees of the university under laws existing on March 30, 1887.

(b)(1) In order to increase the adult degree completion rate and to develop its own human capital, the board may offer one- time lump- sum incentive bonuses or education compensation differentials of up to six percent (6%) of a university employee' s salary for degree attainment.

(2) However, an incentive bonus or education compensation differential shall not be authorized by the board if the degree the university employee seeks to attain is included as a special requirement or minimum qualification established for the classification by the official class specification.

# INST: 0135 UNIVERSITY OF ARKANSAS - FAYETTEVILLE ACT#: 184 SECTION#: 7

**CURRENT SPECIAL LANGUAGE (WITH INST. REQUEST) AR HIGHER EDUCATION COORDINATING BOARD RECOMMENDATION**

PINE TREE RESEARCH STATION. (a) The Board of Trustees of the University of Arkansas shall not sell the property commonly known as the Pine Tree Research Station, located in St. Francis County, Arkansas, which was acquired by the Board of Trustees of the University of Arkansas from the United States of America acting through the Forest Service in 1978, to a private entity or individual. (b) The Board of Trustees of the University of Arkansas may sell the property commonly known as the Pine Tree Research Station, located in St. Francis County, Arkansas, which was acquired by the Board of Trustees of the University of Arkansas from the United States of America acting through the Forest Service in 1978, to: (1) A non- profit corporation organized with the primary mission to keep the land open to the public and available for public use; and (2) Organized and operated for a minimum of five (5) years. (c) The property commonly known as the Pine Tree Research Station, located in St. Francis County, Arkansas, which was acquired by the Board of Trustees of the University of Arkansas from the United States of America acting through the Forest Service in 1978, shall remain open to the public for public use, including without limitation: (1) Public fishing; (2) Public hunting; (3) Biking; (4) Bird watching; and (5) Hiking. (d) All property commonly known as the Pine Tree Research Station, located in St. Francis County, Arkansas, which was acquired by the Board of Trustees of the University of Arkansas from the United States of America acting through the Forest Service in 1978, in row crop cultivation in the year 2020 is exempt from subsection (c) of this section.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.